

REMARKS

The Office Action of September 11, 2003 presents the examination of claims 1-5. Claim 1 is amended herein, incorporating the recitations of claim 3. Claim 3 is therefore canceled. Claims 6-14 are added. Claims 1, 2 and 4-14 are now pending.

Support for new claims

New claims 6-13 find support in the specification at, for example, page 8 and in Figure 2. New claim 14 is supported by the specification at, for example, page 4, lines 3 and 4 or lines 11-13.

Objection to claim 2

Claim 2 is objected to because "range" was misspelled. That error is corrected herein.

Rejection of claims 1-3

Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda '788. Claim 3, now incorporated into claim 1, is rejected over Ikeda '788 in view of Nakagawa '661, Nakagawa JP '012 Consolacion '206 or Shesterkin '344. These rejections are respectfully traversed. Reconsideration and withdrawal thereof are requested.

Applicant submits that the cited reference is not sufficient to establish *prima facie* obviousness of the presently claimed invention. In particular, the combination of the cited references fails to describe a tire tread having the feature of original claim 3 that the groove bottom of the wide circumferential groove is provided on each side of the groove bottom rib with knurled parts intermittently disposed in the longitudinal direction of the wide circumferential groove. Applicant notes that Ikeda '788 does not mention any knurled part. Nakagawa '661, Nakagawa JP '012 and Shesterkin '344 all disclose knurled parts continuously disposed in a circumferential groove. Consolacion '206 discloses knurled parts intermittently disposed, but between two aqua channels, not along the bottom of any groove that is continuous around the circumference of the tire (see, Figure 2 of the reference).

The intermittent disposal of the knurled part of the tread provides an advantage to the invention, because in the ground contacting patch of the tire, the wide circumferential groove forms an air tube having both circumferential ends open. During running, due to air flow, the air in the tube is excited or vibrated and the tube is liable to resonate.

In the claimed invention, the knurled parts move in the tube from one end to the other end as the tire rotates. As a result, it is difficult for any standing wave or resonance to

arise, as explained in the specification.

On the other hand, if the knurled parts are formed continuously along the groove, as in the cited references (except Consolacion), then a standing wave will be caused because the resonance mode is not disturbed by the knurling. Furthermore, there is a possibility that the excitation is promoted because the air flow is released from the surface due to the knurled part, and the flow velocity is increased.

Thus, combining the cited references, except Consolacion, with the Ikeda reference results in a tire having a knurled part continuously disposed along a circumferential groove. This prior art would result in a tire having a resonant air tube during running and fails to achieve the advantage of the present invention.

As to Consolacion, as explained above, this reference describes a knurled part that connects two latitudinally disposed aqua channels. The knurled part does not lie within any sort of groove. Accordingly, the combination of Ikeda with Consolacion results in a tire having a configuration in which there is a circumferential groove having a smooth bottom and knurled portions connecting, for example perhaps the channels 5A illustrated in Figure 1. Such is not the invention described by claim 1 and thus the combination of Ikeda '788 and Consolacion '206 fails to result in the presently claimed invention.

As the combination of references cited fails to establish *prima facie* obviousness of the claimed invention, the instant rejections of claims 1-3 should be withdrawn.

Rejection of claims 4 and 5

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda '788 in view of JP '508. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

Claim 4 is dependent upon claim 1. JP '508 is cited as disclosing the additional feature of claim 4. Without acquiescing to this characterization of the reference, Applicant submits that the addition of JP '508 fails to remedy the deficiencies in the case of *prima facie* obviousness of claim 1. Therefore, the rejection of claim 4 fails and should be withdrawn for the same reasons that the rejection of claim 1 fails and should be withdrawn.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda '788 in view of EP '480. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

Claim 5 is dependent upon claim 1. EP '480 is cited as disclosing the additional feature of claim 5. Without acquiescing to this characterization of the reference, Applicant

submits that the addition of EP '480 fails to remedy the deficiencies in the case of *prima facie* obviousness of claim 1. Therefore, the rejection of claim 5 fails and should be withdrawn for the same reasons that the rejection of claim 1 fails and should be withdrawn.

The present application well-describes and claims patentable subject matter. The favorable action of allowance of the pending claims and passage of the application to issue is respectfully requested.

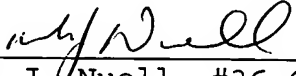
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a three (3) month extension of time for filing a response in connection with the present application. The required fee of \$950.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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